

ORIGINAL

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JAMES W. PENGILLY, a Nevada resident,

Plaintiff(s),

v.

NEVADA ASSOCIATION SERVICES, INC.,
a Nevada corporation; MARK A. STUHMER,
a Nevada resident; DOUGLAS L. CROOK, a
Nevada resident; BILL BLANCHARD, a
Nevada resident; KENNETH R. SAILLEY, a
Nevada resident; ERIKA GEISER, a Nevada
resident; KE ALOHA HOLDINGS, LLC, a
Nevada Limited Liability Company; DOES I
through X, inclusive; and ROE
CORPORATIONS I through X, inclusive,

Defendants.

2:14-cv-01463-RFB-NJK

(Removed from Eighth Judicial
District Court, Clark County, Nevada,
Case No. A-14-695263-C)

**STIPULATION AND ORDER TO
SET ASIDE DEFAULT AGAINST
GREEN TREE SERVICING LLC**

BROOKS HUBLEY, LLP
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KE ALOHA HOLDINGS, LLC, a Nevada
limited liability company,

Counterclaimant,

v.

JAMES W. PENGILLY, an individual;
AMANDA M. PENGILLY, an individual;
JAMES W. PENGILLY and AMANDA M.
PENGILLY, as trustees of the James W.
Pengilly Trust, dated September 22, 2003;
GREEN TREE SERVICING LLC, a Delaware
Limited Liability Company; UNITED STATES
INTERNAL REVENUE SERVICE; BANK
OF AMERICA, a National Association; and
any and all other persons unknown claiming
any right, title, estate, lien or interest in the
Property adverse to the Plaintiff's ownership,
or any cloud upon Plaintiff's title thereto
(DOES 1 through 10, inclusive);

Counterdefendants.

COMES NOW, GREEN TREE SERVICING, LLC ("Green Tree"), by and
through its attorneys of record, Brooks Hubley, LLP, and KE ALOHA HOLDINGS, LLC
(hereinafter "Ke Aloha"), and hereby stipulate and agree to a binding Court order as
follows:

RECITALS

1. Plaintiff James W. Pengilly filed this action in the Eighth Judicial District
Court, Clark County, Nevada, as Case No. A-14-695263-C;

2. Ke Aloha filed a Counterclaim in this action against Green Tree in the
Eighth Judicial District Court, Clark County, Nevada on June 24, 2014;

3. This matter was removed to this Court on September 11, 2014;

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4. Ke Aloha filed a Request for Entry of Clerk's Default against Green Tree on April 30, 2015;

5. A Default was entered against Green Tree on April 30, 2015, and

6. The parties wish to set aside the Default to allow Green Tree to respond to Ke Aloha's Counterclaim.

STIPULATIONS

IT IS HEREBY STIPULATED between Ke Aloha and Green Tree that the Default entered against Green Tree be set aside; and

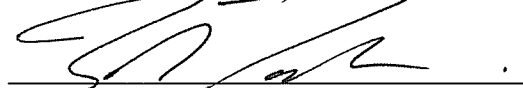

Green Tree has twenty (20) days from the entry of this order to file its response to Ke Aloha's Counterclaim.

Dated this 8th day of May, 2015.

Dated this 12th day of May, 2015.

GREENE INFUSO, LLP

BROOKS HUBLEY, LLP

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ORDER

Based upon the above and foregoing Stipulation between Ke Aloha Holdings, LLC and Green Tree Servicing LLC, and good cause appearing:

IT IS HEREBY ORDERED that the Default entered against Green Tree Servicing LLC on April 30, 2015, is set aside; and

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1 IT IS FURTHER ORDERED that Green Tree has twenty (20) days from entry of
2 this order to file a response to Ke Aloha's Counterclaim.

3 DATED this 31st day of May, 2015.

4 ORDER

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6 IT IS SO ORDERED:

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9 RICHARD F. BOULWARE, II
10 United States District Judge
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